

**SENATE AMENDMENT 40,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 44**

June 18, 2003 – Offered by Senator RISSER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1061, line 19: after that line insert:

3 “(2x) REINSTATEMENT PRIVILEGES AND RESTORATION RIGHTS FOR CERTAIN STATE
4 EMPLOYEES LAID OFF DURING THE 2003–05 FISCAL BIENNIUM.

5 (a) Notwithstanding section 230.31 of the statutes, if a person described under
6 section 230.31 (1) (intro.) of the statutes is laid off during the 2003–05 fiscal
7 biennium because the agency at which the person was last employed is eliminated
8 or because the functions performed by the person are transferred to a different
9 agency, the person shall have reinstatement privileges under section 230.31 (1) (a)
10 of the statutes and restoration rights under section 230.31 (1) (b) of the statutes to
11 the agency to which the functions previously performed by the person are
12 transferred.

1 (b) Except as provided in paragraph (c) and notwithstanding sections 111.84
2 (1) and (2), 111.91 (1) and (2), and 111.93 (3) of the statutes, paragraph (a) applies to
3 state employees and the state regardless of whether the employees are
4 nonrepresented or represented by a labor organization, as defined in section 111.81
5 (12) of the statutes.

6 (c) For any state employee represented by a labor organization, as defined in
7 section 111.81 (12) of the statutes, paragraph (a) applies until the day before the
8 effective date of any act ratifying the collective bargaining agreement for the
9 2003–05 fiscal biennium that covers that employee. Beginning on the effective date
10 of any such act, paragraph (a) applies only if provided by the terms of the collective
11 bargaining agreement.”.

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(END)